

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OLLIE GREENE, Individually as the
Surviving Parent of WYNDELL GREENE,
SR., et al.,

Plaintiffs,

vs.

TOYOTA MOTOR CORPORATION
et al.,

Defendants.

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CASE NO.: 3:11-CV-00207-N

JURY TRIAL DEMANDED

AGREED MOTION TO DISMISS WITH PREJUDICE
(PLAINTIFFS AND VOLVO GROUP NORTH AMERICA, LLC)

Plaintiffs Ollie Greene, Individually as the surviving parent of Wyndell Greene, Sr., William Greene, as the Administrator of the Estate of Wyndell Greene Sr., and Marilyn Burdette Hardeman, Individually and as the surviving parent of LaKeysha Greene (collectively, "Plaintiffs") and defendant Volvo Group North America, LLC f/k/a Volvo Trucks North America, Inc. ("VGNA") file this Agreed Motion to Dismiss With Prejudice, respectfully showing:

1. All matters in controversy as between Plaintiffs and VGNA in this lawsuit have been fully and finally resolved.

2. Accordingly, Plaintiffs and VGNA now move the Court to dismiss all of Plaintiffs' claims and causes of action against VGNA with prejudice to re-filing same. This motion to dismiss encompasses: (1) all claims and causes of action asserted against any "Volvo" entity by Plaintiffs in this lawsuit (including "Volvo Group North America, Inc." and "Volvo Trucks of North America, a Division of Volvo Group North America, Inc." in addition to Volvo Group North America, LLC)

(see Document #'s 26, 34, 113 & 118); and (2) any and all causes of action that were or could have been made by Plaintiffs against the aforementioned "Volvo" entities in the action.

3. Plaintiffs and VGNA are also requesting that the Final Order of Dismissal With Prejudice shall provide that all costs are taxed against the party incurring same, and that Plaintiffs and VGNA shall each bear the cost of their own attorney's fees.

4. Plaintiffs and VGNA request that the Court sign and enter the attached Final Order of Dismissal With Prejudice which is being filed contemporaneously with this agreed motion.

Respectfully submitted,

By: /s/ Aubrey "Nick" Pittman
Aubrey "Nick" Pittman
State Bar No. 16049750

By: /s/ Daryl K. Washington
Daryl K. Washington
State Bar No. 24013714

THE PITTMAN LAW FIRM, P.C.
100 Crescent Court, Suite 700
Dallas, Texas 75201-2112
214-459-3454
214-853-5912 – fax
pittman@thepittmanlawfirm.com

LAW OFFICES OF DARYL K. WASHINGTON P.C.
325 N. St. Paul St., Suite 1975
Dallas, Texas 75201
214-880-4883
214-751-6685 - fax
dwashington@dwashlawfirm.com

ATTORNEYS FOR PLAINTIFFS

By: /s/ Randy R. Howry
Randy R. Howry
State Bar No.

HOWRY BREEN & HERMAN, LLP
1900 Pearl Street
Austin, Texas 78705
512-474-7300
512-474-8557
Rhowry @ howrybreen.com

ATTORNEYS FOR VGNA

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2014, a true and correct copy of the above and foregoing was forwarded to all counsel of record in accordance with the Federal Rules of Civil Procedure by electronic service through the court's ECF system in compliance with Federal Rules of Civil Procedure 5(b)(2)(E) and 5(b)(3).

/s/ Randy R. Howry

Randy R. Howry